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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ANGEL SMITH, in Her Capacity as  
Personal Representative for the Estate of  
Edrick Harvey, and CHELSEA STINGLEY  
as guardian ad Litem for minors AS and  
RH,

Plaintiffs,

vs.

CITY OF ANTIOCH, et al.,

Defendants.

Case No. C11-04986 SBA

**STIPULATION AND ~~PROPOSED~~  
ORDER TO PROCEED BEFORE  
UNITED STATES MAGISTRATE JUDGE  
LAUREL BEELER**

IT IS HEREBY STIPULATED AND AGREED, by and between the parties to this action,  
through their respective counsel of record, as follows:

WHEREAS this civil rights action is currently pending in the above entitled Court before  
the Honorable District Court Judge Sandra Brown Armstrong.

WHEREAS Edrick Harvey and her two children Angel Smith ("AS") and RH were the

C11-04986 SBA - STIPULATION AND ORDER  
TO PROCEED BEFORE U.S MAGISTRATE  
JUDGE LAUREL BEELER

1 Plaintiffs in this suit against the Antioch Police Department and others. Trial was previously set  
2 for July 15, 2013. On March 2, 2013, Plaintiff Edrick Harvey passed away unexpectedly.  
3 Plaintiffs timely filed a "Statement Noting the Death of Plaintiff Edrick Harvey" pursuant to  
4 Federal Rule of Civil Procedure, Rule 25(a)(1) On March 11, 2013, Plaintiffs and Defendants  
5 stipulated to continue the trial. On March 12, 2013, the Court granted the stipulated request for  
6 continuance.

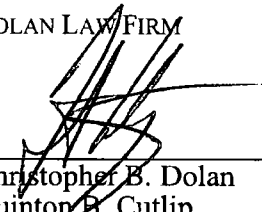
7 On June 4, 2013, the Contra Costa County Superior Court issued an order appointing  
8 Angel Smith as the special administrator for the Estate of Edrick Harvey for the purpose of being  
9 substituted as the proper party into the present case. On June 6, 2013, Plaintiffs and Defendants  
10 stipulated "that Angel Smith, in her capacity as 'personal representative of the Estate of Edrick  
11 Harvey,' may be substituted as the proper party in the place of deceased plaintiff Edrick Harvey,  
12 pursuant to Federal Rule of Civil Procedure, Rule 25(a)." This Court issued an Order on July 17,  
13 2013, substituting Angel Smith, in her capacity as personal representative of the Estate of Edrick  
14 Harvey, as the proper party in the place of deceased plaintiff Edrick Harvey.

15 WHEREAS during the telephonic case management conference on July 17, 2013 the  
16 parties agreed to meet and confer about possibly stipulating to have the case transferred to a  
17 United States magistrate judge.  
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1 THE PARTIES NOW AGREE AND HEREBY STIPULATE to consent to have United  
 2 States Magistrate Judge Laurel Beeler conduct all further proceedings in this case, including trial  
 3 and order of entry of a final judgment according to 28 U.S.C. § 636(c). Appeal from the  
 4 judgment shall be taken directly to the United States Court of Appeals for the Ninth Circuit. The  
 5 parties agree and hereby request to have the case transferred to for any and all further  
 6 proceedings.

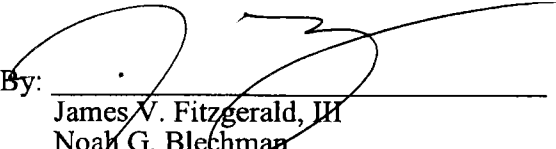
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 9 Dated: July 26, 2013

THE DOLAN LAW FIRM

10  
 11 By:   
 12 Christopher B. Dolan  
 Quinton B. Cutlip  
 Attorneys for All Plaintiffs

13 Dated: July 29, 2013

14 McNAMARA, NEY, BEATTY, SLATTERY,  
 BORGES & AMBACHER LLP


15  
 16 By:   
 17 James V. Fitzgerald, III  
 Noah G. Blechman  
 Attorneys for All Defendants

18  
 19 **PURSUANT TO STIPULATION, IT IS ORDERED THAT**

20  
 21 This pending civil action is transferred to Magistrate Judge Laurel Beeler for all further  
 22 proceedings. An order will be issued to the parties regarding a Case Management Conference  
 23 with Magistrate Judge Laurel Beeler.

24 **IT IS SO ORDERED**

25 DATED: 7/29/13

26   
 27 Hon. Sandra B. Armstrong  
 United States District Court Judge